

NATURAL RESOURCE COMMISSION[571]

Adopted and Filed

Pursuant to the authority of Iowa Code sections 481A.6, 481A.38, 481A.39, 481A.87, 481A.90, and 455A.5(6), the Natural Resource Commission hereby amends Chapter 108, “Mink, Muskrat, Raccoon, Badger, Opossum, Weasel, Striped Skunk, Fox (Red and Gray), Beaver, Coyote, River Otter, Bobcat, Gray (Timber) Wolf and Spotted Skunk Seasons,” Iowa Administrative Code.

Chapter 108 sets the season dates, bag limits, possession limits and areas open to the hunting or trapping of furbearers. The amendments add six counties to the open area for bobcats and remove the statewide quotas for bobcats and river otters. These amendments allow the season for river otters and bobcats to run concurrently with the other furbearer seasons. Since there will no longer be a quota, the 24-hour reporting requirement will no longer be needed. However, federal regulations require that a CITES tag must still be obtained for each bobcat and river otter harvested. These amendments reduce the number of river otters a fur harvester may take during the season from three to two to prevent the taking of too many river otters in any one area. Populations of these furbearers are at a level that will sustain this additional level of harvest and allow Iowa’s hunters and trappers additional opportunities without negatively impacting these populations.

Notice of Intended Action was published in the Iowa Administrative Bulletin on May 1, 2013, as **ARC 0718C**. A public hearing was held on May 23, 2013. Twenty comments were received from the public during the comment period, and most supported the proposed changes in the seasons. One change has been made from the Notice. Wording was added in Item 2 to clarify that otters and bobcats taken outside of the closed season or in excess of the seasonal bag limit must be turned over, without penalty, to the DNR.

These amendments are expected to have a positive impact on jobs by increasing overall trapping activity. By the elimination of statewide quotas, trappers will be able to actually take bobcats and river otters each season. In the past, the quotas filled up quickly, and many trappers who had purchased licenses were not actually able to take a bobcat or river otter because the statewide quota was filled, even if their personal season limit was not yet met. Eliminating these quotas is consistent with sound wildlife management principles and allows fur harvesters more flexibility. For example, trappers will be able to take furbearers later in the season when their pelts are more valuable. In addition, six additional counties have been added for the trapping of bobcats. This will increase trapping activities in these counties. This likely means increased business for the private sector in the following areas: sale of hunting and trapping gear and other related equipment and taxidermy work. It could also lead to increased business for restaurants, hotels, and gas stations as people move around the state participating in the sport.

These amendments are intended to implement Iowa Code sections 481A.6, 481A.38, 481A.39, 481A.87, and 481A.90.

These amendments will become effective on August 14, 2013.

The following amendments are adopted.

ITEM 1. Amend subrule 108.7(2) as follows:

108.7(2) *Open area.* River otters may be taken statewide. Bobcats may be taken in the following counties: Adair, Adams, Appanoose, Audubon, Cass, Clarke, Crawford, Dallas, Davis, Decatur, Des Moines, Fremont, Guthrie, Harrison, Henry, Iowa, Jefferson, Keokuk, Lee, Louisa, Lucas, Madison, Mahaska, Marion, Mills, Monona, Monroe, Montgomery, Muscatine, Page, Pottawattamie, Poweshiek, Ringgold, Taylor, Union, Van Buren, Wapello, Warren, Washington, Wayne, and Woodbury.

ITEM 2. Amend subrule 108.7(3) as follows:

108.7(3) *Quotas and seasonal Seasonal bag limit.*

a. Seasonal bag limit. The seasonal bag limit is 3 2 river otters and 1 bobcat per person.

b. Quotas. ~~The quota for the number of river otters that may be taken is 850 statewide. The quota for the number of bobcats that may be taken is 450 in the open area. The season shall end for river otters~~

~~when the number of river otters trapped, as determined by the harvest reporting system, reaches the quota. The season shall end for bobcats when the number of bobcats taken, as determined by the harvest reporting system, reaches the quota. Trappers shall be allowed a grace period that ends on midnight of the day after the quota is reached to clear their traps of river otters or bobcats. River otters or bobcats found in traps during the grace period may be kept even though the quota is exceeded provided that the trapper has not reached the trapper's personal bag limit. River otters or bobcats trapped after the grace period or in excess of the seasonal bag limit or in a closed area must be turned over to the department; the trapper shall not be penalized.~~

ITEM 3. Amend subrule 108.7(4) as follows:

108.7(4) *Season dates.* The season for taking river otters and bobcats opens on the first Saturday in November and closes ~~when the quota has been reached, as explained in this rule, or on January 31 of the following year, whichever occurs first.~~

ITEM 4. Amend subrule 108.7(5) as follows:

108.7(5) *Reporting requirements.*

~~a. Anyone, including a landowner or tenant not required to have a fur harvester license, who takes a river otter or bobcat must report the harvest to a DNR conservation officer or designated DNR employee within 24 hours. The fur harvester must and arrange to receive a CITES tag from the officer or designated DNR employee within seven days of the time the harvest is reported. The river otter or bobcat shall be skinned and the carcass its lower jaw or skull turned over to the DNR conservation officer or designated DNR employee at the time the CITES tag is issued. If the specimen is to be kept whole for taxidermy purposes, a cut shall be made by the trapper between the gum line and eye so the CITES tag can be attached to the skin. It shall be the responsibility of the taxidermist to have the carcass turned over to a DNR conservation officer or designated DNR employee once that animal has been skinned for taxidermy purposes.~~

~~b. Upon receiving a telephone report that a river otter or bobcat has been legally taken, the conservation officer or DNR employee will call the department's harvest reporting system. The number of river otters and bobcats taken will be updated daily, and a message will be recorded on the department's telephone system. The number taken will be available 24 hours a day. Fur harvesters may check the message daily to determine when the season closes and when the grace period begins and ends. The department will use all practical means to publicize these dates.~~

[Filed 6/18/13, effective 8/14/13]

[Published 7/10/13]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 7/10/13.